Chapter 2 Rules for the Construction of Language and Interpretation

Sections:

11-2-1: Purpose

The purpose of this Chapter is to provide precision in the interpretation of the planning and zoning regulations. The meaning and construction of words and phrases defined in this Chapter apply throughout the Ordinance, except where the context indicates a different meaning. Rules for measurement of height, floor area, sign area, setbacks and other development standards also are established. Finally, this Chapter prescribes rules and procedures for interpretation of regulations, where there may be uncertainty in deciding on a particular application of a provision of the Ordinance.

11-2-2: Rules for Construction of Language

In interpreting the various provisions of the Ordinance, the following rules of construction shall apply:

A. The Particular Controls The General.

B. Unless the Context Clearly Indicates the Contrary, the Following Conjunctions Shall be Interpreted as Follows:

1. "And" indicates that all connected words or provisions shall apply.

2. "And/or" indicates that the connected words or provisions may apply singly or in any combination.

3. "Or" indicates that the connected words or provisions may apply singly or in any combination.

4. "Either . . . or" indicates that the connected words or provisions shall apply singly but not in combination.

C. In case of conflict between the text and a diagram or graphic, the text controls.

D. All references to departments, committees, commissions, boards, or other public agencies are to those of the City of Mesa, unless otherwise indicated.

E. All references to public officials are to those of the City of Mesa, and include designated deputies of such officials, unless otherwise indicated.

F. All references to days are to calendar days, unless otherwise indicated. If a deadline falls on a weekend or holiday, or a day when the city offices are closed, it shall be extended to the next working day. The end of a time period shall be the close of business on the last day of the period.

G. All references to "section," "chapter," or "article" shall refer to this zoning ordinance unless another meaning is clear from the context of the reference.

H. The words "shall," "will," "must," and "is to" are always mandatory and not discretionary. The words "should" and "may" are permissive.

I. The present tense includes the past and future tenses, and the future tense includes the past.

J. The singular number includes the plural, and the plural, the singular.

K. Sections and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section.

11-2-3: Rules for Measurement

The purpose of this Section is to explain how various measurements referred to in this Ordinance are to be calculated.

A. **Applicant's Responsibility**. For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Planning Director or designee.

B. **Fractions**. Whenever the result of a required arithmetical calculation, using a stated mathematical formula or ratio, contains a fraction of a whole number, fractions of 1/2 or greater shall be rounded up to the nearest whole number and fractions of less than 1/2 shall be rounded down to the nearest whole number. This rule shall be superseded when an alternate rule for rounding is specified by the same chapter of this Ordinance that describes the requirement.

Return to Page 1

C. **Measuring Distances.**

1. ***Measurements are Shortest Distance.*** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.

2. ***Distances are Measured Horizontally.*** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.

3. ***Measurements Involving a Structure.*** Measurements involving a structure, such as required yards, separations between buildings, or distances between structures, are made to the closest support wall, post or column of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

4. ***Measurement of Vehicle Stacking or Travel Areas.*** Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

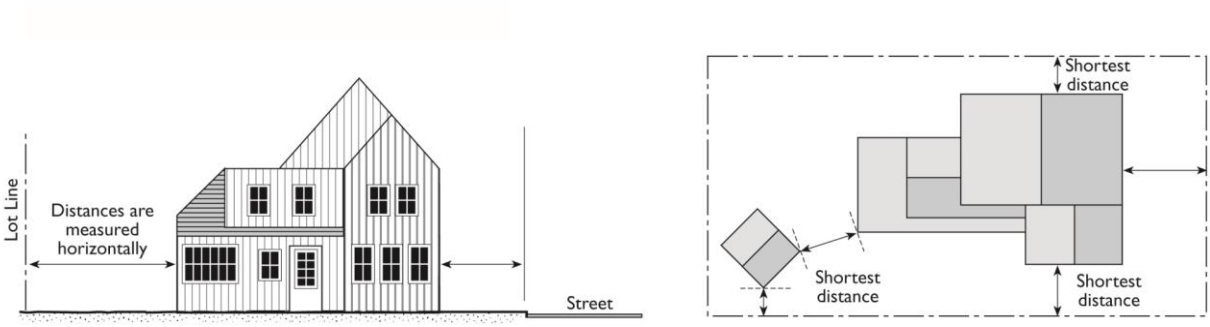


FIGURE 11-2-3.C: MEASURING DISTANCES

D. **Measuring Radius**. When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project. In the event the lot line is curved, the separation radius shall also curve in a similar manner to maintain the specified minimum radius distance. The starting point for the measurement shall be the closest point on the outermost property line for the lot or development site of the protected

Return to Page 1

use, including multiple parcel development sites acting as a campus, or sharing parking, access aisles and other appurtenant shared facilities, such as group development sites. The distance shall be measured to the outside nearest wall of the building intended to house the proposed use.

E. **Measuring Height**.

1. ***Measuring Building Height.*** Building Height is measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the mean point between the plate line (where the vertical wall attaches to the roof) and the highest point of the roof ridge, or to the top of a parapet wall or flat roof.

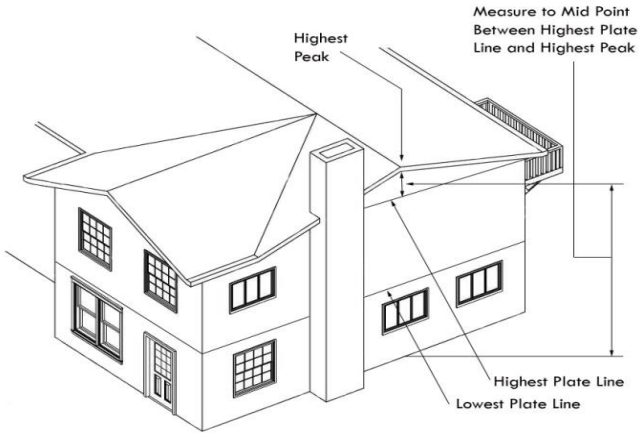


FIGURE 11-2-3.E.1: MEASURING HEIGHT
GABLE OR HIP ROOF

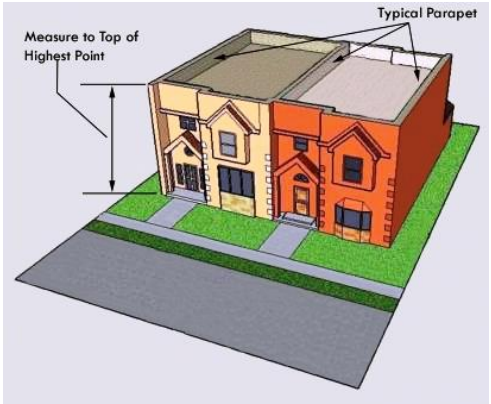


FIGURE 11-2-3.E.2: MEASURING HEIGHT
FLAT ROOF WITH PARAPET

Return to Page 1

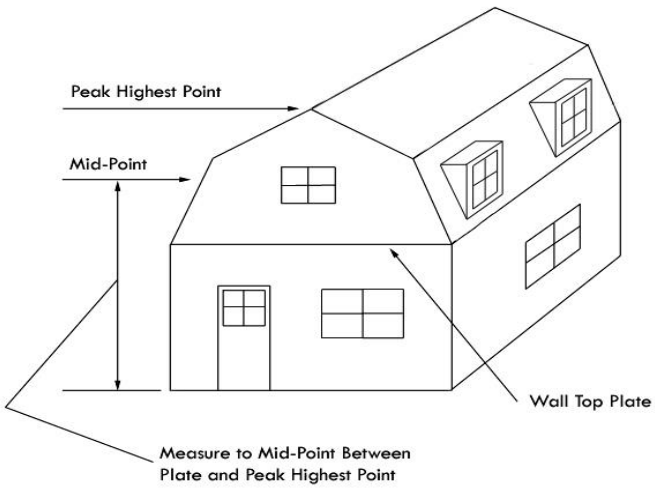


FIGURE 11-2-3.E.3: MEASURING HEIGHT
MANSARD or GAMBREL ROOF

2. ***Measuring Height of Other Structures.*** The height of other structures such as fences is the vertical distance from the ground level immediately under the structure to the top of the structure. Special measurement provisions are also provided below.

   a. *Measuring the Height of Fences on Retaining Walls*. The height of a fence that is on top of a retaining wall is measured from the ground level on the highest side of the fence and wall.

   b. *Measuring the Height of Decks*. Deck height is determined by measuring from the ground to the top of the floor of the deck.

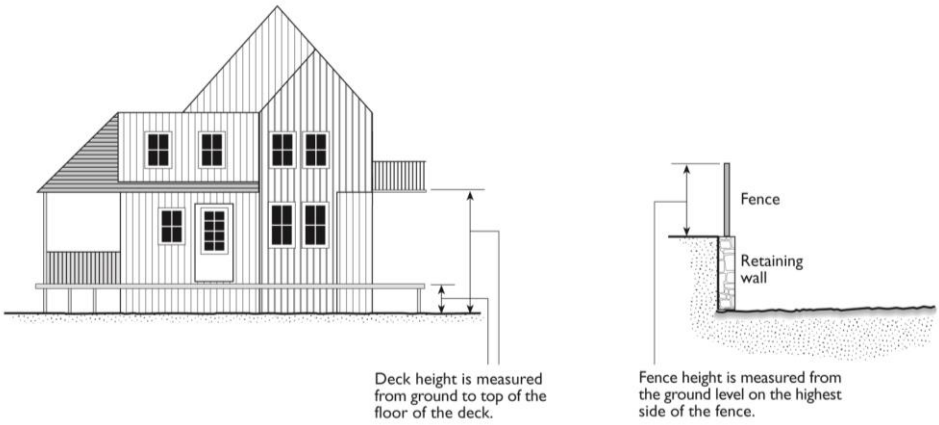


FIGURE 11-2-3.E: MEASURING HEIGHT
DECKS AND FENCES ON RETAINING WALLS

Return to Page 1

F. **Measuring Lot Width and Depth**.

1. ***Lot Width***. Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth. Minimum Lot Width is measured perpendicular to the lot depth at both the front and rear setbacks, based on the applicable zoning district applied to the property.

2. ***Lot Depth***. Lot depth is measured along an imaginary straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.

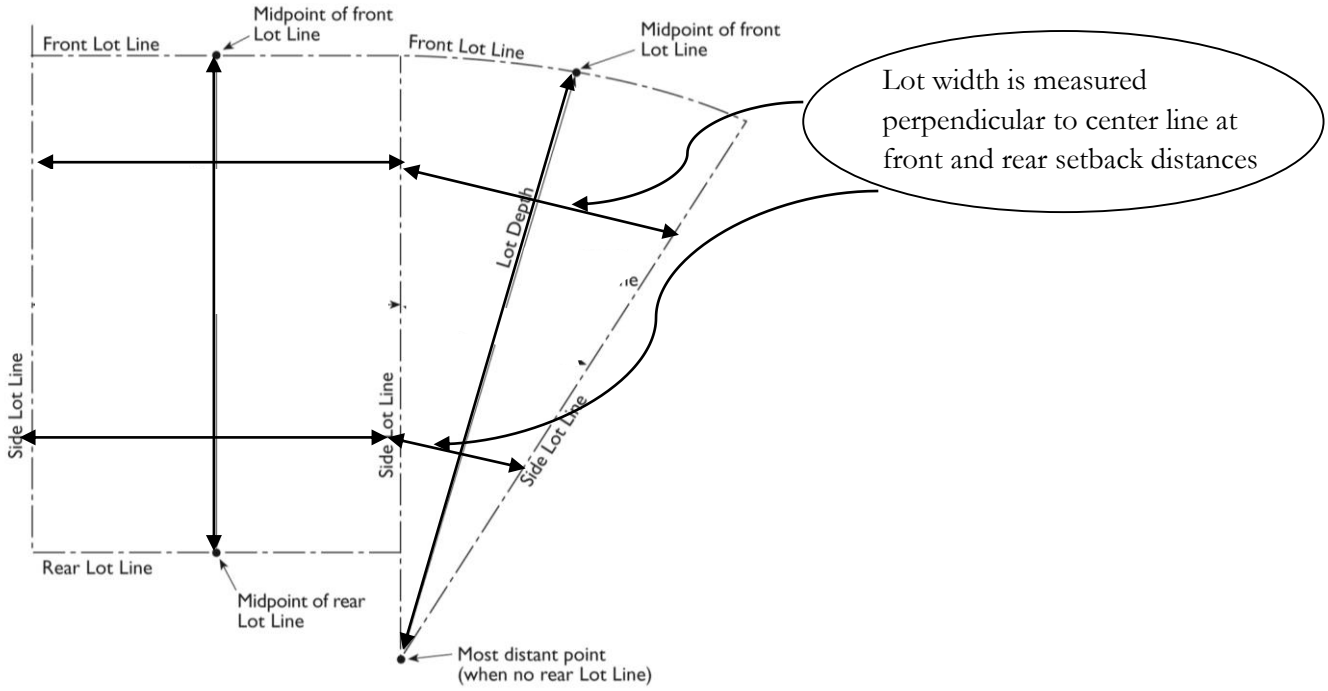


Figure 11-2-3.F: Measuring Lot Width and Depth

G. **Determining Average Slope**. The average slope of a parcel is calculated using the following formula: S = 100(I) (L)/A, where:

1. ***S = Average slope (in percent)***
2. ***I = Contour interval (in feet)***
3. ***L = Total length of all contour lines on the parcel (in feet)***
4. ***A = Area of subject parcel (in square feet)***

Return to Page 1

H. **Determining Floor Area.** Floor area is the horizontal area (expressed in square feet) of all floors included within a building or buildings, according to the following rules:

1. ***Included in Floor Area.*** Floor area includes:

   a. The floor of atrium and lobby areas;

   b. Storage and equipment spaces that are roofed and enclosed on all sides;

   c. Enclosed and roofed halls, stairways, and elevator shafts;

   d. Enclosed and roofed porches and balconies;

   e. Portions of basements and attics that meet Building Code height requirements for habitable space; and

   f. The actual floor space of mezzanines, interior balconies, lofts, closets and all habitable rooms.

2. ***Excluded from Floor Area.*** Floor area does not include:

   a. Garages, carports or other areas used for parking and loading, or vehicular access to parking and loading spaces;

   b. Unenclosed exterior balconies, decks, porches and stairs;

   c. Substandard height portions of attics and basements not used as habitable space as defined by the Building Code.

I. **Determining Floor Area Ratio.** The floor area ratio (FAR) is the ratio of the floor area of all principal and accessory buildings on a lot to the lot area. To calculate FAR, floor area is divided by lot area, and typically expressed as a decimal. For example, if the floor area of all buildings on a lot totals 20,000 square feet, and the lot area is 10,000 square feet, the FAR is expressed as 2.0.

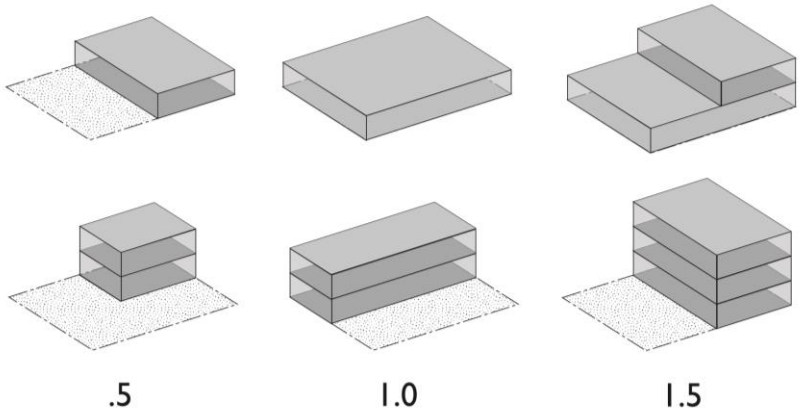


Figure 11-2-3.1: Determining Floor Area Ratio

Return to Page 1

J. **Determining Lot Coverage.** Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed in order to calculate lot coverage. The calculation excludes the following structures:

1. Decks, patio slabs, porches, landings, balconies and stairways (less than 6-feet in height), when unenclosed, unroofed, and/or uncovered;

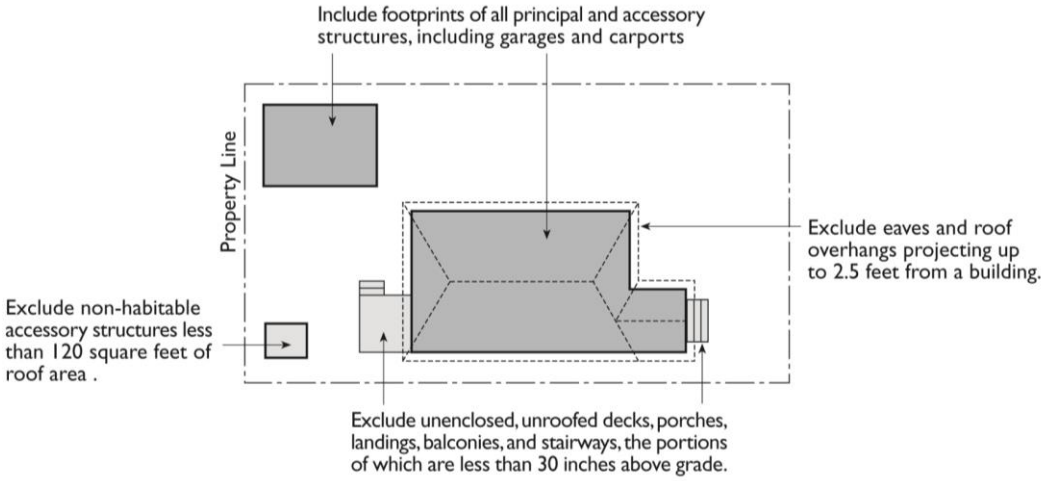
2. Eaves and roof overhangs projecting up to two-and-a-half feet from a building wall;

3. Trellises and similar structures that do not have solid roofs;

4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks; and

5. One small, non-habitable accessory structure under 120 square feet and under seven feet high. Structures above quantity of one shall be included in lot coverage.

FIGURE 11-2-3.J: DETERMINING LOT COVERAGE



K. **Determining Lot Frontage.**

1. ***Corner Lot.*** The front of a lot is the narrowest dimension of the lot with street frontage.

2. ***Through Lot (Double Frontage Lot).*** The front yard borders the street primarily used as frontage by neighboring lots. If both street fronts of the Through Lot are adjacent to lots that also front onto the same street, both street

Return to Page 1

fronts of the though lot shall be considered as required front yards for the purpose of determining building setbacks and fence height requirements.

L. **Determining Setbacks for Yards.** A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. The following special regulations for determining yards apply when a lot abuts a proposed street or alley.

1. ***Yards Abutting Planned Street Expansions.*** If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street as determined by the City Council through the latest adopted transportation and/or street plan, the required setback shall be established from the future right-of-way rather than the property line. In the event that the street is not listed under the latest adopted transportation plan, the street width shall be determined based on the street classification and right-of-way width requirements specified in Title 9, Chapter 6 of the Mesa City Code.

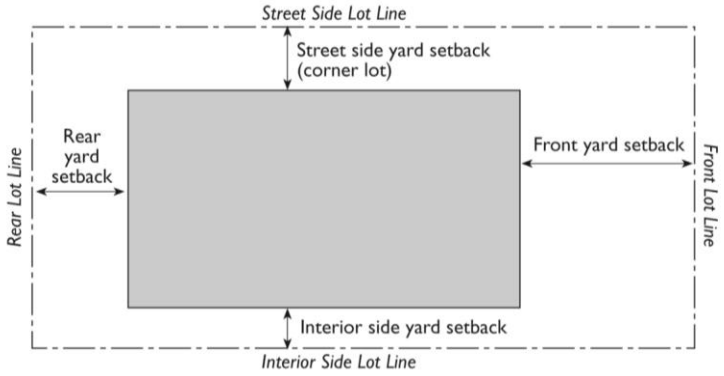


FIGURE 11-2-3.L: DETERMINING SETBACKS

2. ***Yards on Alleys.***

a. If a side lot line abuts an alley, the yard shall be considered an interior side yard rather than a corner side yard.

b. In computing the minimum yard for any lot where such yard abuts an alley, no part of the width of the alley may be considered as part of the required yard except rear yards in RS districts, as specified by Sec 11-5-3(D).

M. **Measuring Signs.** The height of signs is measured in the same method as the height of other structures. Calculation of sign area is described in Article 5, Signs.

Return to Page 1

11-2-4: Rules of Interpretation

The Zoning Administrator shall interpret any provision or any method of measurement not expressly identified in this Chapter, and provide clarification and determination of these rules and their application to a specific site. The Zoning Administrator shall maintain a record of these interpretations.

The Particular Controls the General

Whenever a general provision in a rule shall be in conflict with a particular provision in the same or another rule, the two shall be construed, if possible, so that effect may be given to both. If the conflict between the two provisions is irreconcilable, the particular provisions shall prevail and shall be construed as an exception to the general provision, unless the general provision shall be promulgated later and it shall be the manifest intention of the Supreme Court that such general provision shall prevail.

Return to Page 1

Return to Page 1